

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

THOMAS C. SISOIAN,

Plaintiff,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant.

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Civil Action No.: 6-13-cv-344

**AGREED MOTION TO TRANSFER TO THE  
WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION**

Plaintiff Thomas C. Sisoian and Defendant International Business Machines Corporation jointly and respectfully request that this action be transferred to the United States District Court for the Western District of Texas, Austin Division. The parties agree that venue is proper in the Austin Division, and transfer to that Court is appropriate.

By way of this agreed motion, the parties intend to resolve, without further burdening the Court, their pending dispute concerning venue. *See, e.g.*, IBM's Renewed Motion to Transfer or Dismiss at 2-3, 7-14 (Dkt. #38); IBM's Motion to Transfer Based on Convenience (Dkt. #54). All other motions will remain pending after the transfer, and except as to venue, the parties preserve and do not waive any of their respective rights, defenses, and interests in this matter.

Accordingly, the parties respectfully request that the Court grant this agreed motion and transfer this case to the Western District of Texas, Austin Division, where it will proceed.

Dated: June 13, 2014

Respectfully submitted,

/s/ Eugene R. Egdorf

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### **Certificate of Service**

I hereby certify that on June 13, 2014, all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's Electronic Filing System, consistent with Local Rule CV-5(a)(3).

/s/ R. Paul Yetter

R. Paul Yetter